

Message Text

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O 250245Z APR 76 ZFF4

FM SECSTATE WASHDC

TO USDEL SECRETARY IMMEDIATE

SECRET STATE 100379 TOSEC 110094

EXDIS - FOR THE SECRETARY FROM ATHERTON

E.O. 11652: GDS

TAGS: MASS, MARR, KU, US

SUBJECT: ACTION MEMORANDUM: ACCESS TO CLASSIFIED DATA BY

EGYPTIAN AIR DEFENSE ADVISORS IN KUWAIT (S/S 7608659)

1. PROBLEM:

WE HAVE ANOTHER PROBLEM ABOUT THE EXPOSURE OF EGYPTIANS TO
ADVANCED US WEAPONS TECHNOLOGY IN THIRD COUNTRIES. THIS
ONE INVOLVES THREE EGYPTIAN ADVISORS TO KUWAIT'S AIR
DEFENSE PROGRAM WHO WOULD SOON HAVE TO BE BROUGHT TO THE US
AND RECEIVE CLASSIFIED DATA ON THE IMPROVED HAWK, UNLESS
THEY ARE SEPARATED FROM THE PROGRAM. IN VIEW OF OUR
COMMITMENT TO THE SENATE NOT TO DIVULGE TO THE EGYPTIANS
CLASSIFIED INFORMATION OR TRAINING ON SOPHISTICATED MILI-
TARY EQUIPMENT THIS YEAR, WE MUST DECIDE WHETHER: (1) WE
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ASK THE EGYPTIAN AND KUWAITI GOVERNMENTS FOR THEIR REMOVAL

AND OFFER US ADVISORS IN THEIR STEAD; OR (2) WE MAKE AN EXCEPTION UNDER OUR TECHNICAL SECURITY AGREEMENT WITH KUWAIT AND ALLOW EGYPTIAN ADVISORS ACCESS TO CLASSIFIED I-HAWK DATA.

2. BACKGROUND/ANALYSIS:

WE AGREED TO SELL KUWAIT FOUR BATTERIES OF I-HAWKS IN

NOVEMBER 1974. IT SOON BECAME APPARENT TO THE KUWAITIS THAT THEY HAD NO OFFICERS WITH THE TRAINING REQUIRED FOR MANAGING AN I-HAWK SYSTEM. DURING PRESIDENT SADAT'S VISIT TO KUWAIT LAST JUNE, HE ARRANGED AT KUWAITI REQUEST TO SEND THREE EGYPTIAN BILINGUAL OFFICERS TO TAKE OVER THE AIR DEFENSE PROGRAM. THEY HAVE SINCE BEEN OUR PRINCIPAL CONTACT IN KUWAIT IN THE CONCEPTUAL DEVELOPMENT OF THE COUNTRY'S AIR DEFENSE SYSTEM.

LAST YEAR, WE NEGOTIATED A TECHNICAL SECURITY AGREEMENT WITH KUWAIT WHEREBY DOD AGREED TO TRANSFER CLASSIFIED TECHNICAL INFORMATION TO KUWAITI NATIONALS AND ON A CASE-BY-CASE BASIS TO "PARTIES MUTUALLY AGREED UPON" BY OUR TWO GOVERNMENTS. THE LATTER WAS ADDED TO PROVIDE A LEGAL BASIS FOR THIRD PARTY ACCESS.

WE HAVE NOW REACHED THE POINT IN OUR I-HAWK PROGRAM IN KUWAIT WHERE THE AIR DEFENSE STAFF MUST RECEIVE CLASSIFIED DATA REGARDING THE CONSTRUCTION OF FACILITIES TO RECEIVE THE MISSILES. GIVING ACCESS TO SUCH DATA TO THE EGYPTIAN ADVISORS, HOWEVER, COULD BE SEEN AS A VIOLATION OF OUR RECENT COMMITMENT TO THE SENATE, IN CONNECTION WITH THE C-130 SALE, NOT TO DIVULGE CLASSIFIED INFORMATION CONCERNING US TACTICS AND STRATEGY OR TRAINING IN THE USE OF SOPHISTICATED MILITARY EQUIPMENT.

EXCLUDING THE EGYPTIAN ADVISORS WILL SET BACK THE I-HAWK SYSTEM IN KUWAIT, ALREADY PLAGUED WITH DELAYS, AND WILL BE AN IRRITANT TO THE KUWAITIS AS WELL AS THE EGYPTIANS. BUT IF WE CONCUR IN EXPOSING THE EGYPTIANS TO CLASSIFIED DATA, WE RISK REOPENING THE WHOLE EGYPTIAN MILITARY SUPPLY

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QUESTION AGAIN WITH CONGRESS. WE THINK AMBASSADOR EILTS SHOULD RAISE THE PROBLEM IN CAIRO AND EXPLAIN OUR REASONS FOR ASKING THAT THE EGYPTIANS BE ISOLATED FROM OUR PROGRAM IN KUWAIT. THE ALTERNATIVE WOULD BE TO CONSULT WITH KEY MEMBERS OF CONGRESS TO SEE IF THEY WOULD AGREE TO THE EGYPTIANS CONTINUING TO BE ASSOCIATED WITH THIS KUWAITI PROGRAM, SINCE TECHNICALLY A CASE COULD BE MADE THAT THIS IS NOT THE KIND OF SITUATION WE HAD ENVISAGED BY OUR

COMMITMENT. WE WOULD HAVE TO CONVINCE SENATOR CASE. WE THINK IT UNLIKELY THAT WE COULD DO SO AND THAT WE WOULD BE BETTER ADVISED TO BITE THE BULLET ON THIS ISSUE WITH THE EGYPTIANS IN THE LONGER-TERM INTEREST OF OUR RELATIONSHIP WITH THEM.

3. RECOMMENDATIONS:

A. THAT YOU APPROVE THE INSTRUCTION TO CAIRO SET FORTH IN PARAGRAPH 4.

B. ALTERNATIVELY, THAT YOU AUTHORIZE NEA AND H TO SOUND OUT KEY SENATORS ON THEIR ACQUISCEENCE IN CONTINUED EGYPTIAN ASSOCIATION WITH THE KUWAITI I-HAWK PROGRAM.

APPROVE:

DISAPPROVE:

4. PROPOSED MESSAGE TO CAIRO:

ACTION ADDRESSEE: IMMEDIATE CAIRO

INFO ADDRESSEE: IMMEDIATE KUWAIT

EXDIS, FOR THE AMBASSADOR

E.O. 11652 - GDS

TAGS: MASS, MARR, KU, US

SUBJ: ACCESS TO CLASSIFIED DATA BY EGYPTIAN AIR DEFENSE ADVISORS IN KUWAIT

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1. FOR PAST YEAR, EGYPTIANS HAVE HAD THREE MILITARY ADVISORS ASSIGNED TO KUWAIT'S AIR DEFENSE MODERNIZATION PROGRAM. ADVISORS INITIALLY SENT IN FULFILLMENT OF COMMITMENT TO GOK MINDEF BY PRESIDENT SADAT DURING STATE VISIT TO KUWAIT IN JUNE 1975. SADAT HAD BEEN ASKED TO HELP GOK SINCE NO KUWAITI OFFICERS WERE AVAILABLE IN THIS HIGHLY TECHNICAL FIELD. SINCE ARRIVING IN KUWAIT, ADVISORS HAVE BEEN INTEGRATED INTO KUWAITI ARMY. THEY WEAR KUWAITI UNIFORMS AND IN FACT FUNCTION AS KUWAIT'S AIR DEFENSE STAFF. CONCEPTUAL TASK OF DEVELOPING AN AIR DEFENSE SYSTEM HAS FALLEN TO THESE ADVISORS AND THEY HAVE BEEN OUR PRINCIPAL CONTACTS FOR DEVELOPING I-HAWK FMS PROGRAM IN KUWAIT.

2. IN 1975, DOD SIGNED A TECHNICAL SECURITY AGREEMENT WITH

KUWAITI MINISTRY OF DEFENSE. UNDER AGREEMENT, DOD CAN TRANSFER CLASSIFIED TECHNICAL INFORMATION ABOUT OPERATION OF I-HAWK SYSTEM TO KUWAITI NATIONALS AND, ON AN EXCEPTIONAL BASIS, TO "PARTIES MUTUALLY AGREED UPON" BY TWO DEFENSE AGENCIES. AGREEMENT WAS SPECIFICALLY DRAFTED AND NEGOTIATED IN THIS WAY TO PROVIDE LEGAL BASIS FOR THIRD PARTY ACCESS TO CLASSIFIED I-HAWK DATA SHOULD THIS BE DEEMED NECESSARY.

3. ALTHOUGH KUWAITIS HAVE NOT YET ASKED US FOR NATIONAL DISCLOSURE EXCEPTION FOR EGYPTIAN ADVISORS, NOR HAVE THEY

HAD ANY ACCESS TO ANY CLASSIFIED INFORMATION, WE EXPECT ISSUE WILL COME UP SHORTLY. BY THIS SUMMER, THERE WILL BE A MAJOR PROGRAM REVIEW OF I-HAWK SYSTEM WHICH IS SCHEDULED TO TAKE PLACE AT HUNTSVILLE, ALABAMA. PROGRAM REVIEW WILL INVOLVE TRANSMISSION OF CLASSIFIED INFORMATION NEEDED TO ESTABLISH THE FINAL PARAMETERS OF THE AREA TO BE DEFENDED AND INSTALLATION AND OPERATION OF SYSTEM. POSTPONING PROGRAM REVIEW WILL UPSET INITIAL OPERATING CAPABILITY OF SYSTEM AND DISRUPT CONSTRUCTION/TRAINING TIMETABLE FOR HAWK MISSILES NOW BEING MANUFACTURED AND WHICH WILL BE DELIVERED BEGINNING DECEMBER 1977.

4. AFTER CAREFUL CONSIDERATION WHETHER TO SUPPORT AN EXCEPTION TO NATIONAL DISCLOSURE POLICY FOR EGYPTIAN AD-
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VISORS, WE HAVE CONCLUDED THAT WE SHOULD NOT DO SO AT THIS TIME. DURING RECENT HEARINGS BEFORE CONGRESS ON SALE OF C-130'S TO EGYPT, DEPT CONVEYED WRITTEN ASSURANCES TO SENATE FOREIGN RELATIONS COMMITTEE THAT ANY EGYPTIAN OFFICERS TRAINED IN US THIS YEAR WILL NOT BE INVOLVED IN RECEIVING CLASSIFIED INFORMATION ON US COMBAT TACTICS AND STRATEGY OR IN USE OF SOPHISTICATED MILITARY EQUIPMENT. WHILE THIS PLEDGE WAS MADE IN CONNECTION WITH SALE OF WEAPONS OR SERVICES FROM US TO EGYPT, WE BELIEVE ADMINISTRATION SHOULD NOT TAKE ANY ACTION WHICH COULD BE SEEN IN CONGRESS AS VIOLATING THE SPIRIT OF THIS PLEDGE. REFUSAL TO MAKE AN EXCEPTION WOULD ALSO PRECLUDE LIKELY PROBLEM ON RELEASE OF I-HAWK SYSTEM INFORMATION TO EGYPT THROUGH EGYPTIAN ADVISORS. WE HAVE NO TECHNICAL SECURITY AGREEMENT WITH EGYPT ON TRANSFER OF CLASSIFIED TECHNICAL INFORMATION.

5. WE WILL HAVE TO INFORM GOK SOON THAT WE CANNOT MAKE AN EXCEPTION AND THAT NEW ARRANGEMENTS WILL HAVE TO BE MADE TO REPLACE THEIR EGYPTIAN AIR DEFENSE ADVISORY STAFF, BUT WE DO NOT WANT EGYPTIANS TO HEAR ABOUT IT FIRST FROM KUWAITIS. WE LEAVE IT TO YOUR DISCRETION AT WHAT LEVEL

YOU WISH DISCUSS THIS MATTER IN GOE, BUT IN EXPLAINING
OUR POSITION TO EGYPTIANS, YOU SHOULD MAKE FOLLOWING
POINTS:

(A) IN ARRIVING AT THIS VERY DIFFICULT DECISION, WE HAVE
TAKEN INTO ACCOUNT VALUABLE ROLE THAT EGYPTIANS HAVE
PLAYED IN KUWAITI AIR DEFENSE STAFF AND OF SERIOUS PROBLEMS
FINDING SUBSTITUTES FOR EGYPTIANS AT THIS LATE DATE WILL
CAUSE OUR KUWAITI FRIENDS. NEVERTHELESS, WE FEEL THAT
OVERRIDING IMPORTANCE OF HAVING SECURED CONGRESSIONAL
ACQUIESCENCE IN C-130 SALE AND TRAINING OF EGYPTIAN
PERSONNEL AT U.S. SERVICE SCHOOLS CANNOT BE ENDANGERED BY
A MAJOR PROBLEM WITH CONGRESS WHICH WOULD ENSUE WERE WE,

IN LIGHT OF OUR UNDERTAKINGS TO CONGRESS IN CONNECTION
WITH C-130 SALE, TO MAKE AVAILABLE AT THIS STAGE
CLASSIFIED DATA ABOUT I-HAWK SYSTEM TO EGYPTIAN ADVISORS.

(B) DECISION NOT TO TRANSFER CLASSIFIED INFORMATION SHOULD
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NOT BE INTERPRETED IN ANY WAY AS LACK OF CONFIDENCE IN
DISCRETION OF THE EGYPTIAN OFFICERS IN QUESTION, BUT
REPRESENTS OUR BEST JUDGMENT HOW TO MANAGE OUR OWN CON-
GRESSIONAL RELATIONS TO BEST INTEREST OF STRONG RELATIONS
BETWEEN US AND EGYPT.

(C) DECISION DOES NOT MEAN THAT USG WILL NOT GO AHEAD WITH
I-HAWK PROGRAM IN KUWAIT. IT MEANS SIMPLY THAT WE WILL
HAVE TO MAKE OTHER ARRANGEMENTS WITH GOK. WE ARE PUR-
SUING VARIOUS ALTERNATIVES, INCLUDING POSSIBILITY OF
SENDING A TECHNICAL ASSISTANCE FIELD TEAM, TO PROVIDE THE
ASSISTANCE REQUIRED BY GOK. END TEXT.

6. DRAFTED BY: NEA/ARP:FMDICKMAN
CLEARANCES: PM - MR. STERN; DOD/ISA - GENERAL BALDWIN;
H - MR. FLATEN; NEA/EGY - MR. NEWBERRY; P - MR. SISCO
(SUBS); S-R.AHERNE
EAGLEBURGER

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